

Joshua Adam Schulte, *pro se*

September 10, 2021

**BY HAND**

Judge Paul A. Crotty  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**RE: *United States v. Joshua Adam Schulte*, S3 17 Cr. 548 (PAC)**

Dear Judge Crotty:

I move pursuant to CIPA Section 5 for the “declassification” of certain public WikiLeaks Vault 7 documents intended for use as exhibits in my upcoming motion to dismiss the MCC Counts of the third superseding indictment for violation of the First Amendment<sup>1</sup> and for use at trial provided the Court denies that motion. As the government is well aware, all the charged conduct of MCC Counts three and four was publicly disclosed by WikiLeaks over 18 months before the alleged conduct. Accordingly, as the government cannot claim public internet files to be “closely held,” and considering that the CIA specifically marked the alleged statement in Count Three as unclassified during my time there, the Court will be compelled to dismiss these counts. Therefore, these specific documents are monumental to the dismissal motion and the case at trial.

Section 5 provides, in pertinent part:

If a defendant reasonably expects to disclose or to cause the disclosure of classified information in any manner in connection with any trial or pretrial proceeding involving the criminal prosecution of such defendant, the defendant, shall, within the time specified by the court, or where no time is specified, within thirty days prior to trial, notify the attorney for the United States and the court in writing. Such notice shall include a brief description of the classified information.

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<sup>1</sup> This motion is distinct from the previous facial challenge as it is an as-applied challenge, arguing that the specific alleged conduct cannot be charged under the Espionage Act, as all alleged classified information was public knowledge

*United States v. Schulte*, S3 17 Cr. 548 (PAC); September 10, 2021 letter from *pro se* defendant

Since the requested “declassification” entails public files from the internet (wikileaks.org), I will simply name the files here:

From the year0/vault7/cms of the downloaded archive (some documents are mentioned multiple times):

- These documents mention “Hickock” and literally state the exact same thing the government alleges to be NDI in Count 3

page\_16385464.html, page\_16385435.html,

(S-NF) Independent\_Review\_EDG\_Test\_Programs\_7NOV14.docx.pdf,

pace\_753666.html

- These documents mention steganography that the government claims is NDI in Count 4

page\_16385464.html, page\_16385462.html, page\_16385460.html, page\_16385459.html, page\_16385457.html, page\_16385435.html, page\_49872906.html, page\_49872905.html, page\_35061790.html, page\_35061789.html, page\_35061787.html, page\_35061785.html, page\_35061783.html, page\_35061782.html, page\_35061780.html, page\_32374825.html, page\_29491222.html, page\_26607618.html, page\_20251186.html, page\_20251184.html, page\_20251182.html, page\_20251148.html, page\_20251141.html, page\_20251138.html, page\_20251136.html, page\_20251134.html, page\_20251107.html

- These documents state the exact same information about Bartender that the government claims is NDI in Count 4:

Index.html (This file is not in the subfolder cms, but right outside it in year0/vault7/)

page\_6062108.html

Respectfully submitted,

Joshua Adam Schulte, *pro se*

A handwritten signature in black ink, appearing to read 'JA Schulte', written in a cursive style.